

**CONVENTION
RELATING TO THE REGULATION
OF AERIAL NAVIGATION
SIGNED AT PARIS, OCTOBER 13, 1919¹**

THE UNITED STATES OF AMERICA, BELGIUM, BOLIVIA, BRAZIL, THE BRITISH EMPIRE, CHINA, CUBA, ECUADOR, FRANCE, GREECE, GUATEMALA, HAITI, THE HEDJAZ, HONDURAS, ITALY, JAPAN, LIBERIA, NICARAGUA, PANAMA, PERU, POLAND, PORTUGAL, ROUMANIA, THE SERB-CROAT-SLOVENE STATE, SIAM, CZECHOSLOVAKIA AND URUGUAY,

Recognising the progress of aerial navigation, and that the establishment of regulations of universal application will be to the interest of all;

Appreciating the necessity of an early agreement upon certain principles and rules calculated to prevent controversy;

Desiring to encourage the peaceful intercourse of nations by means of aerial communications;

Have determined for these purposes to conclude a convention, and have appointed as their Plenipotentiaries the following, reserving the right of substituting others to sign the same convention:

Who have agreed as follows:

**CHAPTER I.
GENERAL PRINCIPLES.**

Article 1.

The High Contracting Parties recognise that every Power has complete and exclusive sovereignty over the air space above its territory.

For the purpose of the present Convention, the territory of a State shall be understood as including the national territory, both that of the mother country and of the colonies, and the territorial waters adjacent thereto.

Article 2.

Each contracting State undertakes in time of peace to accord freedom of innocent passage above its territory to the aircraft of the other contracting States, provided that the conditions laid down in the present Convention are observed.

Regulations made by a contracting State as to the admission over its territory of the aircraft of the other contracting States shall be applied without distinction of nationality.

Article 3.

Each contracting State is entitled for military reasons or in the interest of public safety to prohibit the aircraft of the other contracting States, under the penalties provided by its legislation and subject to no distinction being made in this respect between its private aircraft and those of the other contracting States from flying over certain areas of its territory.

In that case the locality and the extent of the prohibited areas shall be published and notified beforehand to the other contracting States.

Article 4.

Every aircraft which finds itself above a prohibited area shall, as soon as aware of the fact, give the signal of distress provided in paragraph 17 of Annex D and land as soon as possible outside the prohibited area at one of the nearest aerodromes of the State unlawfully flown over.

CHAPTER II.
Nationality of Aircraft.

Article 5.

No contracting State shall, except by a special and temporary authorisation, permit the flight above its territory of an aircraft which does not possess the nationality of a contracting State.

Article 6.

Aircraft possess the nationality of the State on the register of which they are entered, in accordance with the provisions of Section I (c) of Annex A.

Article 7.

No aircraft shall be entered on the register of one of the contracting States unless it belongs wholly to nationals of such State.

No incorporated company can be registered as the owner of an aircraft unless it possess the nationality of the State in which the aircraft is registered, unless the president or chairman of the company and at least two-thirds of the directors possess such nationality, and unless the company fulfills all other conditions which may be prescribed by the laws of the said State.

Article 8.

An aircraft cannot be validly registered in more than one State.

Article 9.

The contracting States shall exchange every month among themselves and transmit to the International Commission for Air Navigation referred to in Article 34 copies of registrations and of cancellations of registration which shall have been entered on their official registers during the preceding month.

Article 10.

All aircraft engaged in international navigation shall bear their nationality and registration marks as well as the name and residence of the owner in accordance with Annex A.

**CHAPTER III.
CERTIFICATES OF AIRWORTHINESS
AND COMPETENCY.**

Article 11.

Every aircraft engaged in international navigation shall, in accordance with the conditions laid down in Annex B, be provided with a certificate of airworthiness issued or rendered valid by the State whose nationality it possesses.

Article 12.

The commanding officer, pilots, engineers and other members of the operating crew of every aircraft shall, in accordance with the conditions laid down in Annex E, be provided with certificates of competency and licences issued or rendered valid by the State whose nationality the aircraft possesses.

Article 13.

Certificates of airworthiness and of competency and licences issued or rendered valid by the State whose nationality the aircraft possesses, in accordance with the regulations established by Annex B and Annex E and hereafter by the International Commission for Air Navigation, shall be recognised as valid by the other States.

Each State has the right to refuse to recognise for the purpose of flights within the limits of and above its own territory certificates of competency and licences granted to one of its nationals by another contracting State.

Article 14.

No wireless apparatus shall be carried without a special licence issued by the State whose nationality the aircraft possesses. Such apparatus shall not be used except by members of the crew provided with a special licence for the purpose.

Every aircraft used in public transport and capable of carrying ten or more persons shall be equipped with sending and receiving wireless apparatus when the methods of employing such apparatus shall have been determined by the International Commission for Air Navigation.

The Commission may later extend the obligation of carrying wireless apparatus to all other classes of aircraft in the conditions and according to the methods which it may determine.

CHAPTER IV. ADMISSION TO AIR NAVIGATION ABOVE FOREIGN TERRITORY.

Article 15.

Every aircraft of a contracting State has the right to cross the air space of another State without landing. In this case it shall follow the route fixed by the State

over which the flight takes place. However, for reasons of general security, it will be obliged to land if ordered to do so by means of the signals provided in Annex D.

Every aircraft which passes from one State into another shall, if the regulations of the latter State require it, land in one of the aerodromes fixed by the latter. Notification of these aerodromes shall be given by the contracting States to the International Commission for Air Navigation and by it transmitted to all the contracting States.

The establishment of international airways shall be subject to the consent of the States flown over.

Article 16.

Each contracting State shall have the right to establish reservations and restrictions in favour of its national aircraft in connection with the carriage of persons and goods for hire between two points on its territory.

Such reservations and restrictions shall be immediately published, and shall be communicated to the International Commission for Air Navigation, which shall notify them to the other contracting States.

Article 17.

The aircraft of a contracting State which establishes reservations and restrictions in accordance with Article 16, may be subjected to the same reservations and restrictions in any other contracting State, even the latter State does not itself impose the reservations and restrictions on other foreign aircraft.

Article 18.

Every aircraft passing through the territory of a contracting State including landing and stoppages reasonably necessary for the purpose of such transit, shall be exempt from any seizure on the ground of infringement of patent, design or model,

subject to the deposit of security the amount of which is default of amicable agreement shall be fixed with the least possible delay by the competent authority of the place of seizure.

CHAPTER V.
RULES TO BE OBSERVED ON DEPARTURE
WHEN UNDER WAY AND ON LANDING.

Article 19.

Every aircraft engaged in international navigation shall be provided with:

- (a) A certificate of registration in accordance with Annex A;
- (b) A certificate of airworthiness in accordance with Annex B;
- (c) Certificates and licences of the commanding officer, pilots and crew in accordance with Annex E;
- (d) If it carries passengers, a list of their names;
- (e) if it carries freight, bills of lading and manifest;
- (f) Log books in accordance with Annex C;
- (g) If equipped with wireless, the special licences prescribed by Article 14.

Article 20.

The log books shall be kept for two years after the last entry.

Article 21.

Upon the departure or landing of an aircraft, the authorities of the country shall have, in all cases, the right to visit the aircraft and to verify all the documents with which it must be provided.

Article 22.

Aircraft of the contracting States shall be entitled to the same measures of assistance for landing, particularly in case of distress, as national aircraft.

Article 23.

With regard to the salvage of aircraft wrecked at sea the principles of maritime law will apply, in the absence of any agreement to the contrary.

Article 24.

Every aerodrome in a contracting State, which upon payment of charges is open to public use by its national aircraft, shall likewise be open to the aircraft of all the other contracting States.

In every such aerodrome there shall be a single tariff or charges for landing and length of stay applicable alike to national and foreign aircraft.

Article 25.

Each contracting State undertakes to adopt measures to ensure that every aircraft flying above the limits of its territory and that every aircraft wherever it may be, carrying its nationality mark, shall comply with the regulations contained in Annex D.

Each of the contracting States undertakes to ensure the prosecution and punishment of all persons contravening these regulations.

CHAPTER VI.
PROHIBITED TRANSPORT.

Article 26.

The carriage by aircraft of explosives and of arms and munitions of war is forbidden in international navigation. No foreign aircraft shall be permitted to carry such articles between any two points in the same contracting State.

Article 27.

Each State may, in aerial navigation, prohibit or regulate the carriage or use of photographic apparatus. Any such regulations shall be at once notified to the International Commission for Air Navigation, which shall communicate this information to the other contracting States.

Article 28.

As a measure of public safety, the carriage of objects other than those mentioned in Articles 26 and 27 may be subjected to restrictions by any contracting State. Any such regulations shall be at once notified to the International Commission for Air Navigation, which shall communicate this information to the other contracting States.

Article 29.

All restrictions mentioned in Article 28 shall be applied equally to national and foreign aircraft.

CHAPTER VII.
STATE AIRCRAFT.

Article 30.

The following shall be deemed to be State aircraft:

(a) Military aircraft.

(b) Aircraft exclusively employed in State service, such as Posts, Customs, Police.

Every other aircraft shall be deemed to be private aircraft.

All State aircraft other than military, customs and police aircraft shall be treated as private aircraft and as such shall be subject to all the provisions of the present Convention.

Article 31.

Every aircraft commanded by a person in military service detailed for the purpose shall be deemed to be a military aircraft.

Article 32.

No military aircraft of a contracting State shall fly over the territory of another contracting State nor land thereon without special authorisation. In case of such authorisation the military aircraft shall enjoy, in principle, in the absence of special stipulation, the privileges which are customarily accorded to foreign ships of war.

A military aircraft which is forced to land or which is requested or summoned to land shall by reason thereof acquire no right to the privileges referred to in the above paragraph.

Article 33.

Special arrangements between the States concerned will determine in what cases police and customs aircraft may be authorised to cross the frontier. They shall in no case be entitled to the privileges referred to in Article 32.

**CHAPTER VIII.
INTERNATIONAL COMMISSION
FOR AIR NAVIGATION.**

Article 34.

There shall be instituted, under the name of the International Commission for Air Navigation, a permanent Commission placed under the direction of the League of Nations and composed of:

Two Representatives of each of the following States: The United States of America, France, Italy and Japan;

One Representative of Great Britain and one of each of the British Dominions and of India;

One Representative of each of the other contracting States.

Each of the five States first-named (Great Britain, the British Dominions and India counting for this purpose as one State) shall have the least whole number of votes which, exceeding by at least one vote the total number when multiplied by five, will give a product of the votes of all the other contracting States.

All the States other than the five first-named shall each have one vote.

The International Commission for Air Navigation shall determine the rules of its own procedure and the place of its permanent seat, but it shall be free to meet in such places as it may deem convenient. Its first meeting shall take place at Paris. This meeting shall be convened by the French Government, as soon as a majority of the signatory States shall have notified to it their ratification of the present Convention.

The duties of this Commission shall be:

(a) To receive proposals from or to make proposals to any of the contracting States for the modification or amendment of the provisions of the present Convention, and to notify changes adopted;

(b) To carry out the duties imposed upon it by the present Article and by Articles 9, 13, 14, 15, 17, 27, 28, 36 and 37 of the present Convention ;

(c) To amend the provisions of the Annexes A—G;

(d) To collect and communicate to the contracting States information of every kind concerning international air navigation ;

(e) To collect and communicate to the contracting States all information relating to wireless telegraphy, meteorology and medical science which may be of interest to air navigation ;

(f) To ensure the publication of maps for air navigation in accordance with the provisions of Annex F;

(g) To give its opinion on questions which the States may submit for examination.

Any modification of the provisions of any one of the Annexes may be made by the International Commission for Air Navigation when such modification shall have been approved by three-fourths of the total possible votes which could be cast if all the States were represented and shall become effective from the time when it shall have been notified by the International Commission for Air Navigation to all the contracting States.

Any proposed modification of the Articles of the present Convention shall be examined by the International Commission for Air Navigation, whether it originates with one of the contracting States or with the Commission itself. No such modification shall be proposed for adoption by the contracting States, unless it shall have been approved by at least two-thirds of the total possible votes.

All such modifications of the Articles of the Convention (but not of the provisions of the Annexes) must be formally adopted by the contracting States before they become effective.

The expenses of organisation and operation of the International Commission for Air Navigation shall be borne by the contracting States in proportion to the number of votes at their disposal.

The expenses occasioned by the sending of technical delegations will be borne by their respective States.

CHAPTER IX.
FINAL PROVISIONS.

Article 35.

The High Contracting Parties undertake as far as they are respectively concerned to cooperate as far as possible in international measures concerning:

(a) The collection and dissemination of statistical, current, and special meteorological information, in accordance with the provisions of Annex G ;

(b) The publication of standard aeronautical maps, and the establishment of a uniform system of ground marks for flying, in accordance with the provisions of Annex F;

(c) The use of wireless telegraphy in air navigation, the establishment of the necessary wireless stations, and the observance of international wireless regulations.

Article 36.

General provisions relative to customs in connection with international air navigation are the subject of a special agreement contained in Annex H to the present Convention.

Nothing in the present Convention shall be construed as preventing the contracting States from concluding, in conformity with its principles, special protocols as between State and State in respect of customs, police, posts and other matters of common interest in connection with air navigation. Any such protocols shall be at once notified to the International Commission for Air Navigation, which shall communicate this information to the other contracting States.

Article 37.

In the case of a disagreement between two or more States relating to the interpretation of the present Convention, the question in dispute shall be determined by the Permanent Court of International Justice to be established by the League of Nations, and, until its establishment, by arbitration.

If the parties do not agree on the choice of the arbitrators, they shall proceed as follows:

Each of the parties shall name an arbitrator, and the arbitrators shall meet to name an umpire. If the arbitrators cannot agree, the parties shall each name a third State, and the third State so named shall proceed to designate the umpire, by agreement or by each proposing a name and then determining the choice by lot.

Disagreement relating to the technical regulations annexed to the present Convention shall be settled by the decision of the International Commission for Air Navigation by a majority of votes.

In case the difference involves the question whether the interpretation of the Convention or that of a regulation is concerned final decision shall be made by arbitration as provided in the first paragraph of this Article.

Article 38.

In case of war, the provisions of the present Convention shall not affect the freedom of action of the contracting States either as belligerents or as neutrals.

Article 39.

The provisions of the present Convention are completed by the Annexes A to H, which, subject to Article 34 (c), shall have the same effect and shall come into force at the same time as the Convention itself.

Article 40.

The British Dominions and India shall be deemed to be States for the purposes of the present Convention.

The territories and nationals of Protectorates or of territories administered in the name of the League of Nations shall, for the purposes of the present Convention, be assimilated to the territory and nationals of the Protecting or Mandatory States.

Article 41.

States which have not taken part in the war of 1914 - 1919 shall be permitted to adhere to the present Convention.

This adhesion shall be notified through the diplomatic channel to the Government of the French Republic, and by it to all the signatory or adhering States.

Article 42.

A State which took part in the war of 1914 to 1919 but which is not a signatory of the present Convention, may adhere only if it is a member of the League of Nations or, until January 1, 1923, if its adhesion is approved by the Allied and Associated Powers signatories of the Treaty of Peace concluded with the said State. After January 1, 1923, this adhesion may be admitted if it is agreed to by at least three-fourths of the signatory and adhering States voting under the conditions provided by Article 34 of the present Convention.

Applications for adhesion shall be addressed to the Government of the French Republic, which will communicate them to the other contracting Powers. Unless the State applying is admitted ipso facto as a Member of the League of Nations, the French Government will receive the votes of the said Powers and will announce to them the result of the voting.

Article 43.

The present Convention may not be denounced before January 1, 1922. In case of denunciation, notification thereof shall be made to the Government of the France Republic, which shall communicate it to the other contracting Parties. Such denunciation shall not take effect until at least one year after the giving of notice, and shall take effect only with respect to the Power which has given notice

¹ League of Nation Treaty Series (1922) No.297 at 173; no longer in force.

The deposit of the ratifications of Belgium, Bolivia, the British Empire, France, Greece, Japan, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Siam took place on June 1, 1922.

Liberia adhered to the Convention by a special instrument on March 29, 1922.

Persia which had notified its adhesion to the Convention of April 9, 1920, became a Party to the Convention of the date of its entry into force.